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February 15, 2006

Kareem Taylor
California Environmental Protection Agency
1001 I Street
P.O. Box 2815
Sacramento, CA, 95812

RE: December 2005, Certified Unified Program Agency (CUPA) Audit

Dear Mr. Taylor,

On December 13, and 14, 2005, your agency led a State Audit Team which conducted an audit of our CUPA program. During this audit your audit team noted the following deficiencies:

1. The CUPA is not documenting Return to Compliance from businesses found to have violations.
2. The CUPA has not established a CalARP dispute resolution procedure with required elements of Title 19 CCR, Section 2780.1
3. The CUPA boilerplate site map does not contain all the required data elements
4. The CUPA boiler plate emergency response plans is missing a required data element from Title 19 CCR, Section 2731

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Administrative
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Linda Zalesky
Office Supervisor

Public Works-
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Paul Wiese
Engineering Manager

Public Works-
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Steve Hilas
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5. The CUPA boilerplate training program is missing a required data element from Title 19, CCR, Section 2732

To address the deficiencies listed above, we have verbally reminded staff of the need to provide Return to Compliance forms to businesses for the violations noted during their inspections. We have enclosed samples of the Return to Compliance forms provided to businesses. We have enclosed samples of the documentation that has been submitted to our agency by businesses to address the violations.

On February 14 and 15, 2006 we sent electronic copies of the revised documents noted as audit deficiencies and a new policy on Cal ARP disputes to you and the rest of the audit team. We also sent facsimile copies of these documents to your office. Therefore, we have provided you the documentation demonstrating we have corrected all the deficiencies noted in the December 2005 audit. Please let us know if you need additional information or any clarification. Thank you for your consideration in this matter.

Sincerely;

A handwritten signature in black ink, appearing to read "Terry Schmidtbauer", with a stylized, sweeping flourish at the end.

Terry Schmidtbauer, REHS
Environmental Health Manager

Deficiencies and Corrective Actions

1. **Deficiency:** The CUPA is not documenting Return to Compliance from businesses found to have violations.

CUPA Corrective Action: The CUPA sent hardcopy documentation of Return to Compliance certification to Cal/EPA.

2. **Deficiency:** During the HWG oversight inspection, the CUPA inspector failed to determine whether the owner was required to keep a written tank assessment, on file certified by a qualified engineer registered in California, for the waste methylene chloride tank.

CUPA Corrective Action: This deficiency was corrected during the oversight inspection.

3. **Deficiency:** The CUPA has not established a CalARP dispute resolution procedure.

CUPA Corrective Action: The CUPA emailed its CalARP dispute resolution documentation to Cal/EPA.

4. **Deficiency:** The CUPA's "boilerplate" site map does not contain all the required data elements.

CUPA Corrective Action: The CUPA emailed its site map to Cal/EPA that included items previously missing: loading areas, parking lots, adjacent property uses, and access and egress points and roads. The site map also included items missing from the sub-site map: the scale of map, the locations of each storage area, the location of each hazardous material handling area, and the location of emergency response equipment.

5. **Deficiency:** The CUPA's "boilerplate" emergency response plans/procedures are missing a required data element.

CUPA Corrective Action: The CUPA emailed to Cal/EPA their emergency response plans/procedures that contain the missing data element: mitigation, prevention, or abatement of hazards to persons, property, or the environment.

6. **Deficiency:** The CUPA's "boilerplate" business plan training program is missing a required data element.

CUPA Corrective Action: The CUPA emailed to Cal/EPA their training program procedures for coordinating with local emergency response organizations.